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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/321,204	05/27/1999	YOUZOU MATSUDA	2589-4	6143

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NIXON & VANDERHYE, PC
1100 N GLEBE ROAD
8TH FLOOR
ARLINGTON, VA 22201-4714

EXAMINER

PHAN, JOSEPH T

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 05/07/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/321,204

Applicant(s)

MATSUDA ET AL.

Examiner

Joseph T Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-23 rejected under 35 U.S.C. 102(e) as being anticipated by Cistulli,

Patent #5,946,376.

Regarding claim 1, Cistulli teaches a portable electronic apparatus incorporating software and having a wireless telephoning function (fig.1), comprising:

a display for displaying one or more selection screens (30 Fig.1 and col.2 lines 36-44);

a first memory(25 Fig.1) for storing a plurality of sets of initial data for the software to cope with various kinds of area data and languages so that the portable electronic apparatus utilizes the area data of an area in which the portable electronic apparatus is used and displays on the display in a language corresponding to the area data (col.1 lines 34-43 and col.2 lines 36-44; *displayed language corresponds to the area data module the phone is used in*).

input means for allowing selection from the selection screens of area data, a language corresponding thereto, and an additional language used in an area in which the portable

electronic apparatus is used (*col.1 lines 34-65 and col.2 lines 36-67; the initial language screen is displayed and the user selects another language based from the selection screen ("from the selection screens" is read more broadly than the phrase "on the selection screens")*); and

a second memory(25 Fig.1) for storing the area data, the language corresponding thereto, and the additional language entered through the input means, wherein, when the software is initialized, initial data corresponding to the area data, the language corresponding thereto, and the additional language stored in the second memory is selected from the initial data stored in the first memory (*col.1 lines 34-65, col.2 lines 36-67, and col.3 lines 3-24*)

Regarding claim 2, Cistulli teaches a portable electronic apparatus as claimed in claim 1, further comprising:

editing means for allowing the selected initial data to be edited by a user and storing means for storing the initial data edited by the user in the second memory(25 Fig.1 and *col.1 lines 46-65*)

Regarding claim 3, Cistulli teaches a portable electronic apparatus as claimed in claim 2, wherein, when the software of the portable electronic apparatus having the wireless telephoning function is initialized by use of the initial data corresponding to the area data, the language corresponding thereto, and the additional language as edited by the user, the initial data is checked so that, if incorrect data is found therein, the initial data edited by the user is automatically deleted and the software of the portable electronic apparatus having the wireless telephoning function is initialized by use of the

initial data corresponding to the area data, the language corresponding thereto, and the additional language as initially set (col.1 lines 34-65 and col.3 lines 1-31)

Regarding claim 4, Cistulli teaches a portable electronic apparatus as claimed in claim 2, further comprising:

a key that is operated to delete the initial data edited by the user (col.1 lines 55-65).

Regarding claim 5, Cistulli teaches a portable electronic apparatus as claimed in claim 4, wherein, when the software of the portable electronic apparatus having the wireless telephoning function is initialized by use of the initial data corresponding to the area data, the language corresponding thereto, and the additional language as edited by the user, the initial data is checked so that, if incorrect data is found therein, the initial data edited by the user is automatically deleted and the software of the portable electronic apparatus having the wireless telephoning function is initialized by use of the initial data corresponding to the area data, the language corresponding thereto, and the additional language as initially set (col.1 lines 34-65 and col.3 lines 1-31).

Regarding claim 6, Cistulli teaches a portable electronic apparatus as claimed in claim 4, wherein, when the key that is operated to delete the initial data edited by the user is operated, the initial data edited by the user is deleted and the software of the portable electronic apparatus having the wireless telephoning function is initialized by use of the initial data corresponding to the area data, the language corresponding thereto, and the additional language as initially set (col.1 lines 34-65 and col.3 lines 1-31).

Regarding claim 7, Cistulli teaches a portable electronic apparatus as claimed in claim 6, wherein, when the software of the portable electronic apparatus having the telephoning function is initialized by use of the initial data corresponding to the area data, the language corresponding thereto, and the additional language as edited by the user, the initial data is checked so that, if incorrect data is found therein, the initial data edited by the user is automatically deleted and the software of the portable electronic apparatus having the wireless telephoning function is initialized by use of the initial data corresponding to the area data, the language corresponding thereto, and the additional language as initially set (col.1 lines 34-65 and col.3 lines 1-31).

Regarding claim 8, Cistulli teaches a portable electronic apparatus(Fig.1) incorporating software and having a wireless telephoning function, comprising: a first memory area for storing software(25 Fig.1);
a second memory area for storing a plurality of sets of initial data for the software corresponding to area data for an area in which the portable electronic apparatus is used and a first language for use as a language corresponding to the area data so that the portable electronic apparatus is usable in a plurality of areas and languages (*col.1 lines 34-43 and col.2 lines 36-44; displayed language corresponds to the area data module the phone is used in*).
a third memory area for storing an index to the initial data(25 Fig.1); a display for displaying one or more selection screens (30 Fig.1);
input means for allowing selection from the selection screens of the area data, the first language, and a second language used as an additional language (*col.1 lines 34-65*

and col.2 lines 36-67; the initial language screen is displayed and the user selects another language based from the selection screen ("from the selection screens" is read more broadly than "on the selection screens");

a fourth memory area for storing area and language data used to initialize the software and a fifth memory area for storing a flag indicating data is edited by input of the area data, the first language, or the second language through the input means; and a sixth memory area for storing the area data, the first language, and the second language which are selected using the input means (25 Fig.1 and col.1 lines 46-65 and col.2 lines 36-67);

wherein, when the flag in the fifth memory area is not set, the portable electronic apparatus reads out the area and language data from the fourth memory area, acquires from the third memory area an index to the initial data corresponding to the area and language data, and initializes the software in the first memory area by using the initial data specified by the index and stored in the second memory area, and when the flag in the fifth memory area is set, the portable electronic apparatus initializes the software in the first memory area by using the area data, the first language, and the second language in the sixth memory area (25 Fig.1, col.1 lines 46-65 and col.2 lines 36-67; multiple memory areas are used Cistulli and is not a novel subject matter).

Regarding claim 9, Cistulli teaches a portable electronic apparatus as claimed in claim 8, wherein, when the software of the portable electronic apparatus having the wireless telephoning function is initialized by use of the initial data corresponding to the area data, the first language, and the second language, the initial data is checked so

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that, if incorrect data is found therein, the initial data input through the input means is automatically deleted and the software of the portable electronic apparatus having the wireless telephoning function is initialized by use of the initial data corresponding to the area data, the first language, and the second language as initially set (col.1 lines 34-65 and col.3 lines 1-31).

Regarding claim 10, Cistulli teaches a portable electronic apparatus as claimed in claim 8, further comprising:
a key that is operated to delete the initial data input through the input means (col.1 lines 34-65 and col.2 lines 59-67)

Regarding claim 11, Cistulli teaches a portable electronic apparatus having a telephoning function comprising (Fig.1): a first memory area storing a software application and a second memory area storing different sets of initialization data for initializing the software application stored in the first memory area (col.1 lines 34-65 and col.2 lines 36-67);
a display for displaying one or more selection screens (30 Fig.1);
an input device(col.2 lines 59-67) operable by a user of the apparatus to select from the selection screens a geographic area and at least one language (col.1 lines 34-65 and col.2 lines 36-67);
a third memory area storing the user-selected geographic area and language and control circuitry for initializing the software application by accessing one of the sets of initialization data stored in the second memory area based on the user-selected

geographic area and language stored in the third memory area (Fig.1, col.1 lines 34-65, and col.3 lines 1-31).

Regarding claim 12, Cistulli teaches the portable electronic apparatus as claimed in claim 11, further comprising: a fourth memory area storing a pre-selected geographic area and language (25 Fig.1 and col.1 lines 34-65); and a fifth memory area storing a flag which is set/cleared to indicate that a user selected geographic area and language are stored in the third memory area and which is cleared/set to indicate that no user-selected geographic area and language are stored in the third memory area, wherein if the flag indicates that no user-selected geographic area and language are stored in the third memory area, the control circuitry initializes the software application by accessing one of the sets of initialization data stored in the second memory area based on the pre-selected geographic area and language stored in the fourth memory area(25 Fig.1, col.1 lines 34-65 and col.2 lines 36-67).

Regarding claim 13, Cistulli teaches the portable electronic apparatus as claimed in claim 12, wherein the input device is further operable by the user of the apparatus to delete the user-selected geographic area and language stored in the third memory area(col.1 lines 46-65)

Regarding claim 14, Cistulli teaches the portable electronic apparatus as claimed in claim 13, wherein the software application is initialized by the control circuitry after the user-selected geographic area and language stored in the third memory area are deleted based on the pre-selected geographic area and language stored in the fourth memory area(25 Fig.1 and col.1 lines 46-65).

Regarding claim 15, Cistulli teaches the portable electronic apparatus as claimed in claim 12, wherein incorrect data stored in the third memory area is automatically deleted and the software application is thereafter initialized by the control circuitry based on the pre-selected geographic area and language stored in the fourth memory area(col.2 lines 45-58).

Regarding claim 16, Cistulli teaches the portable electronic apparatus as claimed in claim 11, wherein the software application comprises an electronic mail application(55 Fig.1 and col.1 lines 21-33; *informational messages and fax services is electronic mail*).

Regarding claim 17, Cistulli teaches the portable electronic apparatus as claimed in claim 1, wherein the one or more selection screens comprise an area selection screen identifying one or more areas for selection using the input means.

Regarding claim 18, Cistulli teaches the portable electronic apparatus as claimed in claim 1, wherein the one or more selection screens comprise a language selection screen identifying one or more languages for selection using the input means(col.2 lines 59-67).

Regarding claim 19, Cistulli teaches the portable electronic apparatus as claimed in claim 8, wherein the one or more selection screens comprise an area selection screen identifying one or more areas for selection using the input means (col.2 lines 59-67; *the initial language will identify the area the user is in and also to choose another area language if the area is foreign to the user*).

Regarding claim 20, Cistulli teaches the portable electronic apparatus as claimed in claim 8, wherein the one or more selection screens comprise a language selection screen identifying one or more languages for selection using the input means(*col.2 lines 59-67; the initial language screen is displayed and the user will select another language based from the selection screen*).

Regarding claim 21, Cistulli teaches the portable electronic apparatus as claimed in claim 11, wherein the one or more selection screens comprise an area selection screen identifying one or more areas for selection using the input means(*col.2 lines 59-67; the initial language will identify the area the user is in and also to choose another area language if the area is foreign to the user*).

Regarding claim 22, Cistulli teaches the portable electronic apparatus as claimed in claim 11, wherein the one or more selection screens comprise a language selection screen identifying one or more languages for selection using the input means(*col.2 lines 59-67; the initial language screen is displayed and the user will select another language based from the selection screen*).

Regarding claim 23, Cistulli teaches a portable electronic apparatus having a wireless telephoning function comprising:
a first memory area storing a software application (25 Fig.1) and a second memory area storing different sets of initialization data for initializing the software application stored in the first memory area (col.2 lines 45-58);

a receiver for receiving data designating a geographic area and at least one language(20 Fig.1) and a third memory area storing the designated geographic area and language (25 Fig.1 and col.2 lines 45-58); and control circuitry for initializing the software application by accessing one of the sets of initialization data stored in the second memory area based on the designated geographic area and language stored in the third memory area (col.1 lines 34-44 and col.2 lines 45-67).

Response to Arguments

2. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T Phan whose telephone number is 703-305-3206. The examiner can normally be reached on M-TH 9:00-6:30, in every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JTP
April 26, 2004



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

